

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 HERIBERTO TORIBIO-RUIZ
5 #86947

6 Plaintiff,

7 v.
8 ISIDRO BACA, et al.,

9 Defendants.

10 Case No. 3:17-cv-00674-MMD-CLB

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**ORDER TO TRANSPORT
PLAINTIFF AND ORDER TO TEST
NDOC INMATE FOR IN-PERSON
COURT PROCEEDINGS**

The Court scheduled an in-person jury trial on December 13, 2021 (ECF No. 91). This case is set for the stacked December 13, 2021 trial calendar.

IT IS ORDERED that the Nevada Department of Corrections (NDOC) shall transport inmate HERIBERTO TORIBIO-RUIZ, NDOC #86947, to the Bruce R. Thompson Federal Courthouse, 400 S. Virginia Street, Reno, Nevada, to personally attend the jury trial scheduled to begin on December 13, 2021, at 1:00 PM in Reno Courtroom 5 before the Honorable Miranda M. Du.

IT IS FURTHER ORDERED that the Nevada Attorney General's Office, in coordination with the NDOC, shall arrange for Plaintiff to be tested for COVID-19 within 14 days of the trial and with Plaintiff's consent, unless Plaintiff was fully vaccinated two weeks before the start of trial. Additionally, where practicable and depending on space availability, the NDOC should ensure Plaintiff is placed in quarantine following the test's administration and prior to the hearing to protect against further exposure before transport to court.

IT IS FURTHER ORDERED that, if Plaintiff does not consent to testing, or upon a positive test result, the Nevada Attorney General's Office shall immediately notify the presiding judge's courtroom administrator that Plaintiff cannot be transported to court for the trial. The presiding judge will decide to either delay the hearing or hold the hearing by video.

1 IT IS FURTHER ORDERED that the Clerk of Court shall provide a courtesy copy of
2 this order to the U.S. Marshal's Office in Reno.

3 IT IS SO ORDERED.

4 Dated this 29th Day of November 2021.

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8 Honorable Miranda M. Du
9 CHIEF UNITED STATES DISTRICT JUDGE

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